

**Village Council
Monday,
October 5, 2009
7:00 PM**

Minutes

Call to Order: Mr. Deeds called the meeting to order at 7:00pm

Pledge of Allegiance: Mr. Paini led the Pledge of Allegiance

Roll Call:

John Bender	Rick Deeds	Bruce Jarvis	Bobbie Mershon
Victor Paini	Marilyn Rush-Ekelberry		

Mr. Jarvis moved to excuse Mrs. Turner; seconded by Mrs. Rush-Ekelberry.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS
Motion carried.

Approval of Minutes:

Mrs. Rush-Ekelberry moved to accept the minutes from the September 21st, 2009 meeting; seconded by Dr. Bender.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS
Motion carried.

Communications & Petitions:

A letter was received from The Ohio Buckeye Chapter of The Solid Waste Association of North America (SWANA) stating that the Village's discussion with SWACO is a local jurisdictional matter that must be resolved by the parties most affected by the recent economic downturn. SWANA does not believe that it is within their capacity to comment or address the issue.

Village Residents Comments:

Five-minute limit per person

Sandra J. Walter, of 6974 Greensview Village Dr., stated that she lives in Westchester Condos along side Westchester Condos. She has asked Greensview Condo Associations for 8 ½ years to find a solution to the problem of errant golf balls posing safety hazards to residents. She believes there needs to be a net behind her condo. She has 50 dozen golf balls and her neighbors have the same amount. She has had to replace umbrellas and siding. A golf ball came through her screened door and through her office window. It isn't safe to sit on her deck or even in her house. She is begging for help as she has run into walls everywhere she has turned.

Mr. Hollins will look into it. She can come to the Planning and Zoning meeting and see if they can come up with some creative solutions after taking a look at the property.

Mr. Damian Brobst, of 7100 Old Creek Lane, stated that there is a dog in his neighborhood that barks constantly and is out at all hours of the night. His neighbors also have large groups over that use profanity and are loud. He is asking what his options are in dealing with these issues. Sgt Kern advised that he should call the police. There is a barking dog ordinance and a noise ordinance. Calling the police allows the police to build a case over time.

Heather Bolin, of 6198 Meriden Ct, stated her concern about the new 9pm deadline for the solicitors. She feels that it is too late and requested that it be reconsidered. She knows that there will be a Do Not Knock list and wants to be on it, but still feels uncomfortable with strangers in the neighborhood that late at night. Mr. Hollins stated she can set her own time on a placard on her mailbox and they must adhere to that. Ms. Osborn also pointed out that solicitors must have a visible permit on the outside of their clothes to identify themselves.

Jeffery Bond, of 146 Washington Street, asked about politicians. Mr. Hollins stated that politicians have to adhere to any posted notices at a house as well.

ORDINANCES:

SECOND Reading

Sponsor: Mr. Deeds

O-09-09A AN ORDINANCE TO REPEAL EXISTING CHAPTER 713 OF THE VILLAGE CODE, TO ADOPT NEW CHAPTER 713 OF THE VILLAGE CODE REGARDING PEDDLERS AND SOLICITORS, TO ESTABLISH PEDDLERS AND SOLICITORS REGISTRATION PROCESS, AND DECLARING AN EMERGENCY.

Mr. Deeds read the ordinance. Second reading only.

Sponsor: Mrs. Mershon

O-09-09B AN ORDINANCE TO UPDATE THE FEES TO BE ASSESSED FOR THE CANAL WINCHESTER MAYOR'S COURT AND DECLARING AN EMERGENCY

Mrs. Mershon read the ordinance and moved to waive the third reading because the law directs that these are in effect by October 16th, 2009. Mr. Paini seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS
Motion carried.

Mrs. Mershon moved to adopt Ordinance 55-09; Dr. Bender seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS
Motion carried.

Sponsor: Dr. Bender

O-09-09C AN ORDINANCE TO REPEAL ORDINANCE 03-05 AND ADOPT REVISED UTILITY OPERATING RULES AND REGULATIONS

Dr. Bender read the ordinance. Second reading only.

FIRST Reading

Sponsor: Mr. Paini

O-09-10A AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH THE FRANKLIN COUNTY DRAINAGE ENGINEER FOR STORM SEWER REPLACEMENT AND DECLARING AN EMERGENCY

Mr. Paini read the ordinance and moved to suspend the rules for the second and third readings due to time restrictions on the contract. Mr. Jarvis seconded the motion.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS

Motion carried.

Mr. Paini moved to adopt Ordinance 56-09; seconded by Dr. Bender.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS

Motion carried.

Sponsor: Mr. Jarvis

O-09-10B AN ORDINANCE TO AMEND THE 2009 APPROPRIATION ORDINANCE 63-08.
Amendment #3

Mr. Jarvis read the ordinance. First reading only.

Mayor's Report:

Mayor Ebert, Mr. Strayer and Madison Township Administrator, Larry Flowers, met with SWACO last week. Nothing new or positive came from the meeting.

He attended the Ohio Municipal League conference last week with Mrs. Mershon and Mrs. Rush-Ekelberry. Much was learned at the sessions. It seems that most Villages are experiencing the same budget woes.

Fairfield County Sheriff:

Sgt. Kern read the report.

Village Solicitor:

Mr. Hollins passed along that we were invited to a meeting with the Executive Director of SWACO. The final outcome is anticipated tomorrow at the Board Meeting. There will be a special meeting next Monday and they are "guardedly optimistic" about the results.

There is no need for an Executive session.

Finance Director:

See written report and the 2007-2008 Audit Report.

Public Works Director:

The skate park online auction was concluded last Wednesday. They received 5 submissions from \$50,000 to \$80,000. People from the Skate Shop will review the designs and give their feedback. Staff recommendations will be at the next Council meeting.

Mr. Peoples has interviewed two people for the Water Department Manager position and hopes to have someone in the position by November 1st.

Mr. Strayer stated that there are many things that will be coming forth to council over the next few months.

Community Affairs Director:

October 29th from 5:30 – 7:30pm is Beggars Night. At 7:30 there is the VFW party at the Community Center.

Dec 4th and 5th will be Christmas in the Village.

December 12th is Breakfast with Santa.

December 12th is Employee Appreciation Party at Shades.

Old Town Committee	Monday, October 12, 2009 at 6:00 PM
Finance Committee	Monday, November 2, 2009 at 5:45 PM
Service Committee	Monday, October 19, 2009 at 5:45 PM
Safety Committee	Monday, October 12, 2009 at 5:00 PM
Special Council Meeting	Monday, October 12, 2009 at 5:45 PM
Award the skate park contract.	
Public Hearing	Monday, November 2, 2009 at 6:30pm
Zoning on Winchester Square	

Mr. Paine stated that the Technology Committee met regarding social networking and requested an update. Ms. Hoover stated that the student intern is President of the Public Relations Society at Ohio Dominican and they are going to take the Village on for free to gain experience. They have a meeting next Wednesday and should have the Village set up on Facebook, Twitter and Flickr by the end of the year. Mr. Paine had some ideas and will meet with Ms. Hoover before their meeting with Ohio Dominican.

Adjournment:

Mr. Paini moved to adjourn the meeting; seconded by Mrs. Rush-Ekelberry.

VOTE: **AYES** Dr. Bender, Mr. Jarvis, Mrs. Mershon,
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

NAYS

Motion carried. Time out 7:45pm

Clerk of Council

President of Council

Date _____

Mayor

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.